

Notice of Allowability

Application No.

09/642,784

Examiner

Charles Chow

Applicant(s)

ARIMURA ET AL.

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/19/2004.
2. ☒ The allowed claim(s) is/are 3,4,6-8,11,12,14-16 and 18.
3. ☒ The drawings filed on 22 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/08/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 2/14/2005.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Alex Chang on 2/14/2005. The authorization was given from attorney to modify claims 11-12 with the underlined below:

Claim 11, a changing method of a responding method of a portable telephone apparatus having a flip-lid and an earphone jack, said changing method comprising the steps of determining an opening/close state of the flip-lid and a state of putting plug into the earphone jack; and changing the responding method for responding to an incoming call in response to the detection of the opening/close state of the flip-lid and the detection of the state of putting the plug into the earphone jack.

Claim 12, A changing method of a responding method of a portable telephone apparatus having an extensible antenna that is freely loaded and unloaded in a case and an earphone jack, said changing method comprising the step of: determining a extension/contraction state of the extensible antenna and a state of putting plug into the earphone jack; and changing the responding method for responding to an incoming call in response to the detection of the extension of extensible antenna and the detection of the state

of putting the plug into the earphone jack.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Applicant has canceled rejected claims 1-2, 5, 9-10, 13, 17 and changed dependency of the remaining dependent claims for depending upon previously allowed independent claims 3-4, 11-12, 18 mailed on 7/30/2004.

Claims 3-4, 6-8, 11-12, 14-16, 18 are allowable over the prior art of record, the prior art fails to teach singly, particularly, or in combination, the subject matter, for a **portable telephone apparatus, method, having a flip-lid and an earphone jack, comprising flip-lid state detecting circuit and plug detecting circuit of earphone jack, wherein the radio control circuit section changes a responding method for responding to incoming call when opening the flip-lid and putting the plug are determined based on the detection results by the flip-lid state detecting circuit and the plug detecting circuit [claim 3, 11]; the antenna state detecting circuit for detecting an extension/contraction state of antenna and a plug detecting circuit for determining of changing a responding method to an incoming call [claims 4, 12]; a movable-lid state detecting circuit, a timer operable to start counting a time when movable lid is in an opened state, for changing a responding method to an incoming call by pushing a predetermined key and the timer counts a predetermined time after movable lid state is in opened state [claim 18], as shown in the independent claims. The dependent claims are also allowable due to their dependency upon the independent claims.**

Art Unit: 2685

The closest patent to **Ulvland (US 6,215,993 B1)** teaches a portable telephone apparatus having a movable cover 50, a detector 60 (Fig. 1-2, col. 3, lines 45-67), for changing the responding method for flip 50 partial opening for preview and answering call by pressing a functional key, or by flipping the flip 50 to a completely open state to automatically answer a incoming call. The partially opening of the flip which allows user to press a function key to activate a preprogrammed response (col. 5, lines 1-18). Ulvland fails to teach the **multiple detector for detecting the flip lid state and the detecting the plug in of earphone jack, or the extension/contraction state of the extensible antenna and a state of putting plug into the earphone jack, for changing the method for responding to an incoming call.**

Other prior arts in below has been considered, but they fail to teach the above claimed features.

Crisp (US 6,282,436 B1) teaches the usage of multiple-purpose key 16 to answer incoming call when the slide cover is detected in closed state (col. 4, lines 15-43, the usage of any key to answering the incoming when slide is open (col. 6, line 63 to col. 7, line 15). Crisp fails to teach the **multiple detector for detecting the flip lid state and the detecting the plug in of earphone jack, or the extension/contraction state of the extensible antenna and a state of putting plug into the earphone jack, for changing the method for responding to an incoming call.**

Phillips (US 5,987,311) teaches the changes of a responding method for responding incoming based upon the detected antenna position (col. 6, lines 53-58), the software controls for answering call when the antenna's position is changed (col. 5, lines 27-31). Phillips fails to teach the **multiple detector for detecting the flip lid state and**

Art Unit: 2685

the detecting the plug in of earphone jack, or the extension/contraction state of the extensible antenna and a state of putting plug into the earphone jack, for changing the method for responding to an incoming call.

Johnson et al. (US 2002/0132,633) teaches the manually answering a incoming call when cover 2 of the radiotelephone is in closed position, and the automatically answering a incoming call when cover 2 is in extended opening position, by sliding the cover 2 to a outward position (abstract, [0036, 0038]). Johnson fails to teach the multiple detector for detecting the flip lid state and the detecting the plug in of earphone jack, or the extension/contraction state of the extensible antenna and a state of putting plug into the earphone jack, for changing the method for responding to an incoming call.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (703)-306-5615. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

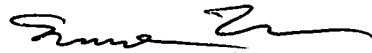
Art Unit: 2685

or faxed to: (703) 872-9306 (for Technology Center 2600 only). Hand-delivered responses should be brought to 220 20th Street, Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202 (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Charles Chow *C.C.*

February 14, 2005.


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600